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**BILL NO. R-94 - 09-11**

**RESOLUTION NO. R - 58-94**

**A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, designating certain real estate as a Residentially Distressed Area.**

**WHEREAS**, the Fort Wayne Common Council has established a policy of designating certain areas as "residentially distressed areas" eligible for property tax abatements on residential improvements; and

**WHEREAS**, persons who improve their property add to the quality of life for all Fort Wayne residents; and

**WHEREAS**, adequate infrastructure exists in many areas to support additional residential development; and

**WHEREAS**, affordable residential development is not occurring in many areas, in part because of the burden of increased property taxes on such development; and

**WHEREAS**, the Common Council finds that certain neighborhoods are residentially distressed areas, in accordance with I.C. 6-1.1-12.1-2, as amended by the Indiana General Assembly in 1993;

**NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** The following area meets the criteria at I.C 6-1.1-12.1-2(c):

- A. Part of Tamera Place and part of Home Gardens Addition as recorded in the plat thereof in the Office of the recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot #10 in Tamera Place as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana thence South 72 degr. 23 min. 01 sec. West along the South line of Tamera Place and the North line of Butz subdivision as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, a distance of 568.2 feet of the Southwest corner of lot #14 in Tamera Place, thence continuing South

1           72 degr. 23 min. 01 sec. West a distance of 77.97 feet;  
2           thence South 89 degr. 07 min. 05 sec. West a distance of  
3           341.76 feet to a point on the East right of way line of John  
4           Street, said point being 100.0 feet North of the North right  
5           of way line of Sylvia Avenue, thence North 01 degr. 24  
6           min. 30 sec. West, along the East right of way line of  
7           John Street, a distance of 230.0 feet, thence North 72 degr.  
8           23 min. 01 sec. East a distance of 433.19 feet to a point  
9           on the West line of Lot #14 in Tamera Place; thence North  
10          01 degr. 31 min. 11 sec. West along the West line of lot  
11          #14, a distance of 34.26 feet to the Northwest corner of  
12          Lot #15 in Tamera Place; thence North 76 degr. 52 min.  
13          East along the North line of Lot #15 and #16 in Tamera  
14          Place, a distance of 251.74 feet (251.29 feet, plat) to the  
15          Northwest corner of Lot #17 in Tamera Place thence North  
16          65 degr. 10 min. 01 sec. East along the North line of Lot  
17          #17 extended Easterly a distance of 172.17 feet to a point  
18          on the West line of Lot #7 in Tamera Place, thence North  
19          24 degr. 49 min. 59 sec. West along the West line of Lot  
20          #7, a distance of 40.0 feet to the Northwest corner of Lot  
21          #7, thence North 65 degr. 10 min. 01 sec. East along the  
22          North line of Lot #7, a distance of 158.6 feet to the  
23          Northeast corner of Lot #7; thence South 24 degr. 49 min.  
24          59 sec. East along the East line of Lot #7, a distance of  
25          40.0 feet; thence South 00 degr. 52 min. 14 sec. East along  
26          the East line of Lots #7, #8, #9 and #10 in Tamera Place,  
27          a distance of 390.62 feet to the point of beginning,  
28          containing 7.48 acres, subject to road rights of way and  
29          easements, and

- 30           (B) Lots #21 thru #30 of Home Gardens Addition, and  
31           (C) Lots #22 thru #36 of Tamera Place Addition.

32           **SECTION 2.** Documentation of the criteria necessary for designation as a  
residentially distressed area is as follows:

- 33           A. A significant number of dwelling units within the area are not permanently  
34          occupied or a significant number of parcels in the area are vacant land:

35           The area is comprised entirely of vacant land.

- 36           B. A significant number of dwelling units within the area are the subject of  
37          an order issued under I.C. 36-7-9 or are evidencing significant building  
38          deficiencies:

39           There are no dwelling units within the area.

- 40           C. The area has experienced a net loss in the number of dwelling units, or  
41          the area is owned by Indiana or the United States:

42           The area included one residential structure which was demolished  
43          in 1987; no structures have been built in this area since that time.

1           D. The area (plus any areas previously designated) does not exceed 10% of  
2           the total area within the Fort Wayne Common Council's jurisdiction:

3           The area comprises 22.578 acres, equivalent to .036 square miles.  
4           The areas previously designated by Fort Wayne Common Council  
5           total 6.378 square miles, leaving up to .372 square miles able to  
be designated.

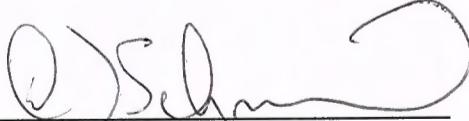
6           **SECTION 3.** That properties within the areas described herein be eligible for  
7           abatement of all real property taxes attributable to construction which occurs after the  
8           adoption of this resolution, as determined by the Allen County and Wayne Township  
9           Assessors as prescribed by law, for a period of five years.

10          **SECTION 4.** This resolution shall not be interpreted to affect any other legal or  
11          administrative regulations governing improvements to real property, including but not  
12          limited to the Allen County Building code, the Historic Preservation Ordinance of the  
13          City of Fort Wayne, and the Zoning Ordinance of the City of Fort Wayne.

14          **SECTION 5.** That no deduction or abatement will be allowed under the terms  
15          of this Resolution unless the dwelling is rehabilitated to meet the standards of the Allen  
16          County Building department, and that no deduction or abatement will be allowed if the  
17          building is found to be in violation of the City's Safe Housing and Building Standards  
18          Ordinance.

19          **SECTION 6.** That no deduction or abatement will be allowed under the terms  
20          of this Resolution unless the dwelling is made available for sale or rent at a price  
21          determined to be affordable to low- or moderate-income families. This determination  
22          may be made by the Indiana Housing Finance Authority through its Low-Income Housing  
23          Tax Credit program, or by the Division of Community and Economic Development.

24          **SECTION 7.** That this Resolution shall be in full force and effect from and after  
25          its passage and any and all necessary approval by the Mayor.

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Read the first time in full and on motion by Selmeick, seconded by \_\_\_\_\_, and duly adopted, read the second time by \_\_\_\_\_, title and referred to the Committee on Genesee (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.

DATED: 4-13-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Selmeick, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-27-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. Q-58-94  
on the 27th day of September, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Archie Kennedy  
PRESIDING OFFICER

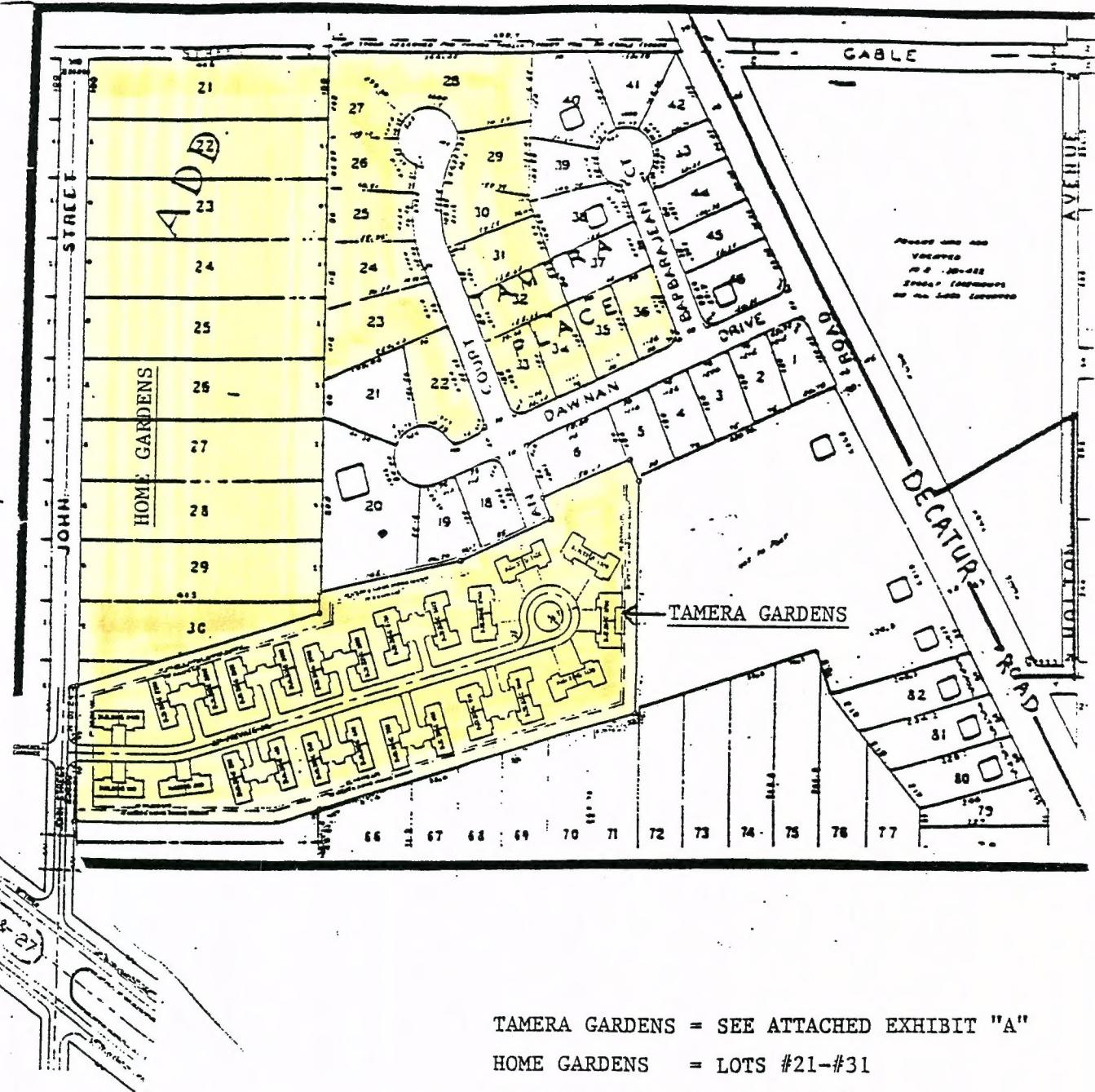
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1994, at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of September, 1994, at the hour of 4:25 o'clock P.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



TAMERA GARDENS = SEE ATTACHED EXHIBIT "A"  
HOME GARDENS = LOTS #21-#31  
TAMERA PLACE = LOTS #22-#36



## MEMORANDUM

**TO:** City Council Members

**FROM:** Karen Goldner, Community Development Projects Administrator

**DATE:** September 6, 1994

Q-94-09-11

**SUBJECT:** Residential Property Tax Abatement for Tamera Gardens Project

### Background

Last year, Council utilized a change in State law allowing cities to designate certain areas as "Residentially Distressed Areas," which allowed for tax abatement of increased assessed value for privately-owned properties within those districts. The Residentially Distressed Areas designated at that time included large sections of the central city and a portion of the southern part of Fort Wayne. Up to ten percent of the total City area may be designated as Residentially Distressed Areas; the City has not yet reached that limit.

### Request for Action

A developer has requested that City Council designate certain property in southeast Fort Wayne as a Residentially Distressed Area. This property, just north of U.S. 27 South at John Street near Southtown Mall, is currently vacant. The developer plans to construct 48 units of low-density housing for low-income families. The creation of affordable rental housing for low-income families is a high priority in the City's 1994 Comprehensive Housing Affordability Strategy.

The financing of low-income housing is always difficult, due to the relatively low rents that must be charged. The developer is requesting property tax abatement in order to reduce the operating costs of this project.

### Recommendation

In addition to providing needed housing, this project is a significant investment in southeast Fort Wayne. After adoption, the City will still have one-third of a square mile (over 200 acres) which could be designated at a later time for other projects.

Staff recommends approval.

BILL NO. R-94-09-11

REPORT OF THE COMMITTEE ON  
FINANCE

CLETUS R. EDMONDS - DONALD J. SCHMIDT - CO-CHAIR  
ARCHIE L. LUNSEY  
DAVID C. LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) of the Common Council of the  
City of Fort Wayne, Indiana, designating certain real estate as a Residentially  
Distressed Area

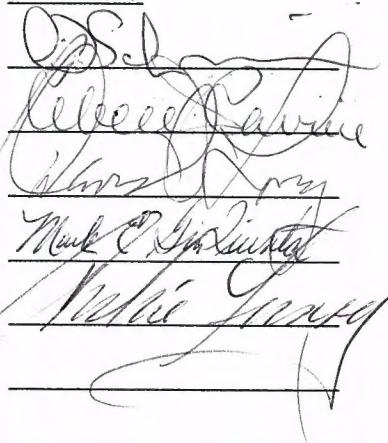
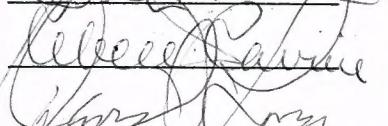
HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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DATED: 9-27-94.

Sandra E. Kennedy  
City Clerk